THE STORY ON WHICH THE NEW TRAGEDY, CALL'D, VIRGINIA, Now in REHEARSAL at the Theatre Royal in *Drury Lane*, IS FOUNDED.

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BRITISH MUSEUM

THE STORY ON WHICH THE NEW TRAGEDY, CALL'D, VIRGINIA, IS FOUNDED.

TErentillus, a tribune of the people (Anno V. C. 291. B. C. 461.) propos'd a law, that inſtead of the arbitrary and even oppoſite judgments rendred by the magiſtrates from time to time, laws ſhould

be inſtituted, to ſerve for the future as invariable rules both for the government of the common-wealth, and the determining of differences between private people.

For ſeveral years this law (from its author nam'd Terentilla) was a ſubject of contention between the ſenate and people; the former ſtrenuouſly oppoſing it, as tending to diminiſh their authority; the latter as eagerly requiring it, that they might be no longer ſubject to the caprice, or iniquity of the patricians, their judges.

The ſenate at length (A. V. C. 300. B. C. 452.) tir'd out with contending, conſented; and deputies were ſent to Athens to tranſcribe the laws of Solon, and the other law-givers of the different ſtates of Greece, to ſerve as a foundation for their deſign.

The year after (viz. A. V. C. 301. B. C. 451.) the deputies returning with the laws they had collected, the tribunes demanded that law-makers might be appointed; and after ſome debates and oppoſition, which took up the remainder of this year, and part of the next, it was granted.

(A. V. C. 302. B. C. 450.) The method that they all agreed upon (after ſome ſtrug-

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gles with the people, who were for naming ſome of their own body to be join'd with the reſt in the making of theſe laws, which however, they gave up) was, "That ten men, out of the chief of the "ſenate, ſhould be elected; whoſe power "continuing for a year, ſhould be the "ſame with that of kings and conſuls, and "that without any appeal: That all other "magiſtracies ſhould lay down their au-"thority, 'till they might be renew'd ac-"cording to the law."

This was agreed on by the ſenate, and confirm'd by the people; and the conſuls elect, immediately reſigning their office, were made part of the Decemvirate: The tribunes, ædiles, queſtors, &c. were alſo diveſted of all power and authority. Theſe ten were choſe by the people in their Comitia Centuriata; and Appius Claudius (ſon of that Appius that kill'd himſelf, and grandſon of the firſt Appius) was firſt nam'd, and was indeed the chief of all the reſt.

Being thus inveſted with abſolute power, they agreed, that only one of them at a time ſhould have the faſces, and other enſigns of conſular authority, borne before

them; to which they were to ſucceed by turns for a ſingle day only, 'till the year came about: The reſt, to avoid envy, differ'd little from private perſons, either in their habit or ſtate; retaining one ſingle officer only, call'd Accenſus, to walk before them.

Theſe great men, for a time, manag'd all things with ſuch juſtice and moderation, that the common-wealth ſeem'd moſt happy under them; and above all Appius, who had greater and more ſecret deſigns than the reſt, ſo diſtinguiſh'd himſelf, that he engroſs'd the whole glory of the adminiſtration, in the judgment of the people: And it might be ſaid, in ſome ſenſe, that the whole authority of the magiſtracy was veſted in him alone, by the aſcendant he had gain'd over his collegues, and the favour of the people (*a*). He had, 'till now, been the declar'd enemy of the plebeians; his diſpoſition, naturally cruel and violent, through the hatred he had conceiv'd towards them, roſe even to ferociſty, but now he was become another man: The mildneſs and affability with which he deſcended

(*a*) Regimen totius magiſtratûs penes Appium erat favore plebis. Liv. Dec. 3.

deſcended to the occaſions of the meaneſt and weakeſt of the citizens, and his attention in ſaluting and calling them by their names, had gain'd him all hearts (*b*).

This whole year the Decemvirs apply'd themſelves induſtriouſly to the framing their body of laws; which they had extracted partly from the ancient decrees of the kings of Rome, and partly from the tranſcripts the deputies had brought out of Greece.

Having finiſh'd this great work, they expos'd it to the view of all men in ten tables, that any one might make exceptions; and when all was ſettled and approv'd, a Senatus Conſultum paſs'd, not one voice diſſenting, for the ratifying theſe laws: And the people in their Comitia Centuriata moſt religiouſly, and ceremoniouſly confirm'd them, in the preſence of the pontifices, augurs and prieſts. They were then engraven in braſs, and plac'd for public uſe in the moſt conſpicuous parts of the Forum.

(A. V. C.

(*b*) Adeoque rovum ſibi ingenium induerat, ut plebicola repente, omniſque auræ popularis captator evaderet, pro truci, ſævoque: infectatore plebis. Liv. Dec. 3.

(A. V. C. 303. B. C. 449.) The year being almoſt expir'd, the Decemviri mov'd the ſenate for a continuation of this office; which, after a great debate, was reſolv'd on for one year more, becauſe ſomething ſeem'd yet wanting to the new model. A Comitia was appointed for the election of the members of this new Decemvirate, in which Appius ſo prevail'd, by means of his intrigues, and his favour with the people, that it was entirely compos'd of himſelf, and his abſolute dependants and creatures; to the excluſion of all his former collegues, and many others of the moſt ancient and honourable of the fathers, who ſtood for this office: And the more to ingratiate himſelf with the rabble, he took in three plebeians amongſt them. The very firſt day after their creation, they all made their appearanee, with regal enſigns; ſo that the Forum was fill'd with an hundred and twenty rods and axes, which exceedingly terrify'd the people: The next thing they did was to bind themſelves by the moſt dreadful oaths, "To be of one mind; to retain the "power in their own hands; to be of "equal authority among themſelves, and

"to

" to admit none into their number; never " to make uſe of Senatus Conſulta and " Plebiſcita, but in the greateſt neceſſity; " and to do all things by their own au- " thority."

They now aſſum'd deſpotic power, and rul'd with the utmoſt tyranny: Beſides their lictors, they were always ſurrounded with a crew of deſperate wretches, loaded with debts and crimes; and what was ſtill more deplorable, great numbers of the young patricians flocking about them, added themſelves to their train, making their court to them in the moſt abject manner, to ſcreen themſelves from the juſtice due to their licentiouſneſs (*c*). They were guilty of the moſt monſtrous enormities. Nothing was heard of but rapine, luſt, murder and cruelties, of all ſorts. At their lawleſs will and pleaſure, they tore away from the citizens their wives, their daughters, their eſtates, their lives.

One memorable thing was done by the Decemvirs this year; which was, their adding two tables of law to the ten made the

(*c*) Hac mercede juventus nobilis corrupta, non modo, non ire obviam injuriæ, ſed propalam licentiam ſuam malle, quam omnium libertatem. Liv. Dec. 3.

the year before; whereof one forbad all marriages between the patricians and plebeians. Theſe together compos'd the twelve tables, ſo celebrated by ancient and modern authors (*d*); of which ſome fragments only have reach'd us, that have been carefully collected and digeſted by Catrou and Rouillè.

In theſe deplorable circumſtances, every one was impatient for the expiration of the year, with which the Decemvirs authority was to end; but that time being come, they diſguis'd their deſigns no longer, but at once threw aſide the mask and aſſum'd power by their own authority, without the approbation either of ſenate or people.

Their tyranny in a ſhort time became ſo inſupportable, that the moſt conſiderable citizens, both patricians and plebeians, were either forc'd to quit the city, or were murder'd: At the ſame time, the Sabines and the Æqui began to invade the Roman and

(*d*) Fremant omnes licet, dicam quod ſentis; bibliothecas mehercule omnium philoſophorum mihi videtur XII. tabularum libellus, ſiquis legum fontes, & capita viderit, & auctoritatis pondere, et utilitatis ubertate ſuperare. Cicero de oratore. Lib. 1.

and the Latin territories; the former encamping near Eretum upon the Tyber, about twelve miles from Rome; and the latter at Algidum, a town built upon the mount Algidus, (on which very ſpot there ſtands a town at this day, call'd, ROCCA DEL PAPA, where there are ſtill conſiderable remains to be ſeen of Old Algidum) and nearly at the ſame diſtance. This ſtartled the Decemvirs not a little, becauſe they found no means of aſſiſtance without firſt aſſembling the ſenate, which had been laid aſide for ſome conſiderable time. At this preſſing juncture, a ſenate was at laſt call'd, where Appius, in a premeditated oration, propounded the buſineſs of the war: Upon which L. Valerius Potitus (grandſon of the famous Valerius Poplicola, who oppos'd the Tarquins) firſt ſtood up, and, tho' Appius commanded him to forbear, violently exclaim'd againſt the tyranny of the preſent uſurpers. He being forc'd to ſilence, was ſeconded by M. Horatius Barbatus (grandſon to the famous Horatius Pulvillus, Poplicola's collegue) who having expreſs'd great indignation againſt the Decemviri, they threaten'd to have him caſt headlong down the Tarpeian

rock. Even Claudius, uncle to Appius, ſtood up; and, with great force, reprov'd the arbitrary proceedings of his nephew and his collegues. The ſenators differing in their opinions about the method of carrying on the war, ſome being for creating a dictator; others (who were either creatures of the Decemviri, or elſe dreaded them, or the progreſs of the enemy) for committing the management of the war to the Decemvirs. Appius, making his advantage of theſe diviſions, took the votes of his own party for a ſufficient determination, and haſtily order'd the ſcribe to draw up a Senatus Conſultum, "Whereby full power of levying forces, "and commanding them, was given to "the Decemviri". This being done, he immediately diſmiſs'd the ſenate, to the great diſſatisfaction of many. This made Horatius and Valerius ſtand upon their own defence, gathering together their clients and dependants; and caus'd Claudius, uncle to Appius, to go over to the Sabines, where he liv'd. Great multitudes follow'd his example, leaving their native ſeats, with their wives and children, and went into a voluntary exile.

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The Decemviri having got an army together, divided it into three parts, whereof one remain'd with Appius, and Oppius (another of the Decemvirs) in the city, and the two other parts were ſent againſt the Æqui and the Sabines, under the commands of their collegues: But the legions of both, having a quick ſenſe of their loſs of liberty, reſolv'd not to conquer, for fear of eſtabliſhing the power of the Decemvirs; ſo that both armies ſuffer'd themſelves to be defeated almoſt without fighting. Thoſe that were appointed to act againſt the Æqui loſt their camp and baggage, and fled for refuge to Tuſculum: Thoſe againſt the Sabines, after ſome ſlight loſſes near Eretum, had made a haſty retreat in the night, and pitched their camp in the territory of Rome, about four miles from the city, between Fidenæ and Cruſtumeria. Theſe diſadvantages caus'd great joy in Rome among the enemies of the Decemviri; ſo that Appius, fearing ſome attempt, wrote to his collegues in the army, to deſtroy their known adverſaries by any means, which was effected upon ſeveral. But at Rome, the famous Sicinius Dentatus, call'd

the Roman Achilles, gave Appius no ſmall uneaſineſs; he not only exclaim'd openly againſt the uſurpation of the Decemvirs, but he blam'd their military conduct in the army, as both cowardly and unskilful. This man was the darling of all the ſoldiers; he had ſerv'd forty years, had fought an hundred and twenty battles, and was all over ſcars. Appius, to get rid of ſo dangerous an oppoſite, with good words, perſuaded him to go as lieutenant or legatus to the army againſt the Sabines. This office was ſacred among the Romans. It gave him, who had it, the authority of a general, and made his perſon ſacred and inviolable, as that of a prieſt. Appius, at the ſame time, wrote to his collegues there, to diſpatch him at any rate. They receiv'd him with outward marks of the greateſt joy and reſpect, but ſoon contriv'd to deſtroy him; for, on his adviſing them to remove into the enemy's country, they commiſſion'd him to go and view it, and to mark out a camp for them; which he undertaking, without ſuſpicion, they appointed a hundred choſen men to be his guard, who had ſtrict orders to murder him. They took their opportunity

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in ſome narrow paſſages of the rock, to effect their cruelty; which, however, they could not do, 'till he had firſt kill'd fifteen of them, and wounded twice as many: Nay, at laſt, they were forc'd to get upon the top of the rock behind him; from whence, tumbling down great ſtones on him, they knock'd him on the head.

The aſſaſſins, on their return to the camp, gave out that he fell into the enemy's hands; but the ſoldiers, eaſily perceiving the villainy, grew very mutinous. The Decemviri, to appeaſe them, appointed Sicinius an honourable burial; which was perform'd with much ceremony, and an univerſal ſorrow among the ſoldiers, who, from that time, thought upon nothing but a revolt.

Theſe, and the like outrages, having rendred the Decemvirate univerſally odious to the body of the Roman people, they wanted nothing but an opportunity to throw off the yoke; which Appius ſoon furniſh'd them with, by one of the moſt ſignal pieces of cruelty and oppreſſion that ever was heard of, and which gave birth to one of the remarkable events of the Roman hiſtory.

Appius,

Appius, as has been already obſerv'd, remain'd at home with a part of the army, to keep the city in awe. One morning, as he was going to his tribunal in the Forum, he accidentally caſt his eyes on a young virgin of uncommon beauty, who was reading her book in the public ſchools. It was then cuſtomary at Rome for young perſons of that ſex, as well as the other, to purſue their proper ſtudies and exerciſes in publick ſchools, erected in the Forum for that purpoſe, that lay open and expos'd to view, ſo that whoever paſs'd muſt ſee them. Appius, tho' ſeemingly dead to all ſoft paſſions, was ſtruck. He paſs'd by the ſchools, in his return home. He ſtopt for a conſiderable time to behold her. He was charm'd with her intent application to her book, as well as with her blooming beauty and graces. He could not help conſidering her with a ſecret pleaſure. His curioſity increas'd the next day. He thought her more lovely than before; and, as his office oblig'd him frequently to appear in the Forum, this ſevere magiſtrate and grave law-giver was obſerv'd, to the aſtoniſhment of every body (without any regard to decency and the dignity of his office,

office, or to the train of lictors and attendants that follow'd him, or the crowd of people that look'd on) to ſtop and gaze, whenever he paſs'd by the ſchools of the young virgins.

Upon enquiry after her family and condition, he learnt, that ſhe was by birth a plebeian; her name Virginia; that ſhe had loſt her mother Numitoria when ſhe was young; that her father, whoſe name was Virginius, then ſerv'd in the poſt of centurion in the army employ'd againſt the Æqui; that he had promis'd his daughter to Icilius, who had been tribune of the people, and who was to marry her at the end of the campaign. This account, ſo unfavourable to Appius's love, ſerv'd only to increaſe it. He could not marry her, as being a plebeian; his own laws had forbad it; ſo he reſolv'd to attempt the debauching her. He endeavour'd, by rich preſents and promiſes, to corrupt her nurſe; but ſhe rejecting his offer with horror, only kept a more watchful eye over her charge than before. He try'd all means to enſnare the young virgin herſelf, by gifts, by proteſtations of love, and by vows and promiſes of marriage; but finding all his endeavours

deavours fruitleſs, he had recourſe to fraud and violence. To this end one Claudius, a creature of his, was pitch'd upon; who, it was reſolv'd, ſhould claim Virginia as his ſlave: And then the matter being brought before himſelf in judgment, he was to adjudge her to be ſo.

This miniſter of the Decemvir's luſt, according to his inſtructions, taking with him a band of profligate fellows, enter'd the ſchool where Virginia was; and ſeizing her by the arm, would force her away, under pretence that ſhe was the daughter of one of his ſlaves. He was already dragging her, all in tears, thro' the Forum, when the people gathering about them, and touch'd with ſo moving a ſight, oblig'd him to let go his hold. The villain perceiving he could not execute his firſt deſign, pretended then, that he had not meant to uſe any violence, but to proceed in due courſe of law; and he cited her to appear immediately before the Decemvir, whither, by the new laws, ſhe was oblig'd to go.

Claudius there affirm'd, as before, that ſhe was the daughter of a ſlave of his, of whom Virginia's mother (now dead) had bought

bought her; and being herſelf barren, had brought her up for her own: That he would ſoon produce undeniable teſtimonies of what he advanc'd; that, in the mean time, it was but juſt a ſlave ſhould go with her maſter; and that he would give ſecurity for her appearance again if Virginius, at his return, ſtill pretended to be her real father. This impudent pretence, which was known to the whole city to be falſe and groundleſs, was ſufficient for Appius, who was going to decree Virginia to his pander Claudius, in ſpite of the outcries of the people, and remonſtrances of her uncle Numitorius; who in vain urg'd the law the Decemvirs themſelves had paſs'd, " That if a perſon enjoying their " liberty ſhould be claim'd as a ſlave, ſuch " perſon ſhould continue at liberty, 'till a " definitive judgment in the caſe (*e*)". This Appius over-rul'd, on frivolous pretences of ſome difference in the circumſtances; when Icilius on a ſudden ruſh'd into the court, and taking Virginia in his arms, in ſpite of the lictors who oppos'd him, exclaim'd againſt the tyranny of Appius, and proteſted nothing ſhould ſeparate him from her but death; at the ſame time, imploring

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(*e*) Ut ſi quis e libertate in ſervitutem apereretur, prætor vindicias ſecundum libertatem daret. Liv. Dec. 3.

the aid of the people who ſtood by. They, mov'd with his misfortunes and his courage, fell upon the lictors, who were forcing away Virginia, diſpers'd them, and oblig'd Appius to conſent to ſtay 'till the next day, for Virginius to have time to return to Rome, and defend his cauſe and his right to his daughter: But he added, that if Virginius did not appear by that time, nothing ſhould hinder him from putting Claudius in poſſeſſion of his ſlave. In the mean time, he privately diſpatch'd a meſſenger to his collegues, who commanded the army, intreating them to arreſt Virginius on ſome pretence or other, and to keep him in cloſe priſon. He thought, that the father not appearing at the time appointed, he might then with a good colour deliver up the daughter into Claudius' hands. But his courier arriv'd in the camp too late: Numitorius's ſon, and a brother of Icilius, had been before-hand; and Virginius, upon the firſt notice of his daughter's danger, pretending the ſudden death of ſome relation, had obtain'd leave to return to Rome, and was already gone; and he had the good fortune to eſcape two parties of horſe, which were ſent to intercept him on the road.

He appear'd next morning in the Forum, pierc'd to the heart with grief, and leading

leading by the hand his daughter drown'd in tears, and both in mourning; accompany'd with ſeveral weeping matrons, and a numerous train of advocates, the whole city crowding into the Forum.

Appius hearing, with extream ſurprize and rage, that Virginius was return'd, repair'd inſtantly to the Forum, with a prodigious guard of his dependants and creatures. The cauſe was open'd, and Virginius plainly prov'd the maid to be his own daughter; but Appius, corrupted by the greatneſs of his power, and inflam'd with the heat of his luſt, neither conſider'd the juſt defence of the father, nor the bitter tears of the poor maid. He interrupted all that pleaded in her behalf, commanding their ſilence, and ſtraight judg'd Claudius to be right lord and owner of her.

Great out-cries and lamentations being made, as well by others as by the virgin and her relations, they knowing ſhe was doom'd to the tyrant's luſts, Appius commanded all to depart, and order'd Claudius to take poſſeſſion of his ſlave. At theſe words, utter'd with an imperious tone, the multitude gave back, and left Virginia ſtanding by herſelf, a helpleſs prey to injuſtice. The unfortunate father, ſeeing there was no remedy, drew near Appius; and, in a ſuppliant manner, addreſs'd him thus: "I

" beſeech thee, Appius, in the firſt place
" impute it to a father's grief, if I have un-
" guardedly been too bitter in my invec-
" tives againſt thee: Next grant that I
" may, in the preſence of this maid, inter-
" rogate her nurſe concerning this matter;
" that if I am falſly call'd her father, I
" may depart hence better ſatisfy'd in my
" mind (*f*)." Appius readily yielded to this requeſt; upon condition however, that it ſhould be in Claudius' ſight, and without ſtirring out of the Forum.

Virginius, pierc'd to the heart with the ſharpeſt ſorrow, took his daughter half dead in his arms; he wip'd away the tears, in which her face was all bath'd, embrac'd her, and leading her and her nurſe aſide to ſome ſhops, near the temple of Venus Cloacina, he ſnatch'd up a knife from a butcher's ſtall, and ſaying thus; " O! daughter! by
" this only means, in my power, I ſet
" thee free (*g*)." He plung'd the knife in her heart, and then drawing it out again, all ſmoaking with her blood; and, turning about to the tribunal, he cry'd,
" Appius,

(*f*) Quæſo, inquit, Appi, primum ignoſce patrio dolori, ſi quid inclementius in te ſum invectus: deinde, ſinas, hic coram Virgine nutricem percontari, quid hoc rei ſit; ut ſi falſo pater dictus ſum, æquiore hinc animo diſcedam. Liv. Dec. 3.

(*g*) Hoc te uno, quo poſſum, ait modo, filia, in libertatem vindico. Liv. Dec. 3.

" Appius, I devote thee and thy head,
" with this blood, to the infernal gods (*b*)."
The Decemvir immediately order'd him to be ſeiz'd; but he, with the knife in his hand, made his way thro' the croud, got out of the city, and rode poſt to the army, four hundred plebeians following him. In this poſture Virginius arriv'd at the camp with the knife, and his cloaths all bloody; and, with his rhetoric and pathetic grief, perſuaded them to revolt: They, ready enough for ſuch a deſign, immediately decamp'd, and took their ſtation by mount Aventine, where they were ſoon after join'd by great parties from the other army, who were incens'd with the murder of Sicinius. In the mean time Numitorius, Icilius, Valerius, and Horatius, ſtaying by the dead body of the unfortunate Virginia, and ſhowing it to the people, rais'd a great commotion in the city. Appius, on the other hand, endeavouring by force to ſuppreſs theſe diſturbances, of which himſelf had been the occaſion, was ſo overpower'd by the party of Valerius and Horatius, that he was forc'd to retire, and keep himſelf within his own houſe. Oppius, (another of the Decemvirs, left at Rome with Appius) aſſembled the fathers, and urg'd the puniſhment

(*b*) Pectus deinde puellæ transfigit, reſpectanſque ad tribunal, Te inquit Appi, tuumque caput, ſanguine hoc conſecro. Liv. Dec. 3.

puniſhment of all deſerters; but the ſenate was ſo ſenſible of the threatning dangers and miſeries of the ſtate, that they were glad to come to any agreement with the ſoldiers: Therefore, to compoſe all differences, they immediately diſpatch'd meſſengers to the army, which had lately remov'd to the Holy Mount; where the people demanded to have the ſame form of government, as was ſettled before the creation of the Decemviri; which was readily granted them, the people all returning home to the city. Thus, in leſs than three years time, ended the famous Decemvirate.

Valerius and Horatius were, for their ſervices, made conſuls for the remaining part of the year. The tribunes, whereof Virginius was one, thought it convenient to call the Decemviri to account. Appius was committed to priſon, no bail being allow'd him, but before his trial was found dead; by what means is uncertain. Oppius, next him in guilt, being accus'd and condemn'd, dy'd the ſame day in priſon by his own hands. The other eight baniſh'd themſelves, and Claudius, the pretended maſter of Virginia, was driven out after them; with which juſtice the ſtate was ſatisfy'd, and indemnity granted to all others.

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